

claims. Protestants claim that these springs are tributary to Center Creek and, therefore if these claims are allowed the City's rights will be enlarged and protestants' rights will be impaired. The Proposed Determination limits the city to a flow of approximately 1/4 of said creek but does allow the city additional water rights from said springs.

b. Protestants assert that the proposed stockwatering rights in the name of Security Title Company under Water User's Claim Nos. 742, 743, 1387, 462, 983, and 984 are improper and incorrect. This protest is based upon the assertion that protestant and Parowan City own all of the water supply in the Center Creek drainage basin and that the proposed stockwatering rights take water which is owned either by protestant or by the city. It is the contention of the State Engineer and Security Title Company that these parties do not own all of the water in said drainage basin and that the diligence claims of Security Title Company are valid and were properly established by diligence use.

c. The issue presented is whether the Division of State Lands has a valid stockwatering right under Water User's Claim Nos. 1385 and 1386. Protestants claim that no such right exists. The Division of State Lands asserts that it is the owner of the property on which said stockwatering right occurs and that its predecessor in interest established a valid diligence claim to this water use beginning in 1856 and the water has been used since that time substantially as set forth in said claims.

d. Protestants assert that the Division of Fish and Game does not have a valid diligence right for stockwatering under Water User's Claim No. 587. It is the contention of the Division of Fish and Game that it is the owner of the property on which said use occurs and that there has been a valid use of water on this property for stockwatering purposes since 1856 from the source covered by said claim.

e. The issue presented is whether Donald R. Lyman or his predecessors in interest established a valid diligence right as claimed under Water User's Claim Nos. 850 and 774 for stockwatering and domestic purposes from the source covered by said claims. Lyman's claim such a right was initiated in 1856 and has been in continuous use since that time. Protestants assert such a right was never established.

f. Protestants assert that Leslie H. Schubert, Leslie H. Schubert, Jr., Phillip R. Snelgrove, and Helen P. Snelgrove have not established a valid